

ADOPTED

Representatives Dickson of the 6th, England of the 116th, and Dudgeon of the 25th offer the following amendment:

Amend HB 100 (LC 33 6627S) by striking lines 1 through 64 and inserting in lieu thereof the following:

To amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing elementary and secondary education, so as to provide for requirements relating to virtual instruction provided to students enrolled in a local school system and residing in another local school system; to provide for automatic repeal of a provision; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing elementary and secondary education, is amended by adding a new Code section to read as follows:

"20-2-167.1.

(a) As used in this Code section, the term:

(1) 'Out-of-system student' means a student who is enrolled in a local school system and receives virtual instruction from a virtual school within the local school system, but who resides in another local school system.

(2) 'Virtual instruction' means online instruction for grades kindergarten through 12. Such term shall not include virtual instruction received through the Georgia Virtual School established pursuant to Code Section 20-2-319.1 or the clearing-house established pursuant to Code Section 20-2-319.3, or through a state charter school which provides virtual instruction.

(3) 'Virtual school' means a school within a local school system which provides virtual instruction.

(b) A local school system that provides virtual instruction through a virtual school whose total student enrollment is composed of more than 5 percent out-of-system students shall:

(1) Ensure that 90 percent of funds earned pursuant to this article for out-of-system students are expended for costs for virtual instruction for such out-of-system students and shall return any excess funds to the state treasury which are not expended for such purposes;

31 (2) Include in the virtual school and local school system's College and Career Ready
32 Performance Index data academic achievement results for out-of-system students; and
33 (3) Not provide virtual instruction to out-of-system students in the current academic year
34 if the local school system has a College and Career Ready Performance Index for the
35 most recently available previous academic year that is below the state average for such
36 previous year, and shall not provide virtual instruction to out-of-system students in the
37 current academic year through a virtual school within the local school system that has a
38 College and Career Ready Performance Index for the most recently available previous
39 academic year that is below the state average for such previous year. This paragraph
40 shall stand repealed in its entirety on June 30, 2019.

41 (c) This Code section shall not be subject to waiver pursuant to Code Section 20-2-82 for
42 a strategic waivers school system, Code Section 20-2-2063.2 for a charter system, Code
43 Section 20-2-2065 for a charter school, or Code Section 20-2-244."